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10 Attorney for **THIRIOT**

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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 UNITED STATES OF AMERICA,

15 Plaintiff,
16 vs.

17 DAVID THIRIOT,
18 Defendant.

19 2:11-cr-316-GMN-CWH

20 **EMERGENCY MOTION TO CONSIDER**
RELEASE IN ORDER TO ATTEND
FUNERAL SERVICES

21 **AND AMENDED ORDER**

22 CERTIFICATION: This Motion is timely filed .

23 Defendant, DAVID THIRIOT, by and through his attorney of record, PAUL D. RIDDLE,
24 Assistant Federal Public Defender, hereby submits the following Motion to Consider Release in
25 Order to Attend Funeral Services in connection with the passing of Mr. Thiriot's mother.

26 DATED this 6th day of November, 2012.

27 RENE L. VALLADARES
28 Federal Public Defender

29 By: */s/ Paul D. Riddle*
30 PAUL D. RIDDLE
31 Assistant Federal Public Defender

I. Mr. Thiriot respectfully requests this Court consider releasing him to the custody of his sister so that he can attend their mother's funeral service.

On August 23, 2012, Mr. Thiriot was sentenced to a term of 12 months in prison for the offense of Felon in Possession of a Firearm. On September 24, 2012, he self-reported to begin serving his term of incarceration. Since self-reporting, Mr. Thiriot has been housed at the Nevada Southern Detention Center in Pahrump, Nevada awaiting his permanent designation. On November 1, 2012, Mr. Thiriot's mother, Nancy Thiriot, was killed in a tragic car accident. Mr. Thiriot's sister, Kristian Chamberlain, successfully convinced the family to reschedule the funeral service in the hopes that Mr. Thiriot would be able to attend. The funeral service is currently scheduled for November 7, 2012 at 11 a.m. in Logan, Utah.

Mr. Thiriot requests that, if he is released, he be released on November 6, 2012 into the custody of his sister, Kristian Chamberlain, with an ankle bracelet to monitor his movements. Ms. Chamberlain is willing to take responsibility for her brother and will personally pick him up from the Pahrump facility and return him to the Pahrump facility after the funeral services. November 6, 2012 would be a travel day where Ms. Chamberlain would drive Mr. Thiriot to Logan, Utah, a distance of 504 miles. On November 7, 2012 he would attend the funeral at 11:00 a.m. Then, on November 8, 2012 Mr. Thiriot would assist his siblings with his mother's personal belongings. On November 9, 2012 Mr. Thiriot would travel back to Las Vegas and return to the Nevada Southern Detention Center no later than 6:00 p.m. Additionally, Ms. Chamberlain can be reached on her cell phone: (503) 312-2735 and will provide any other contact information required by the Court.

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Prior to self-reporting on September 24, 2012, Mr. Thiriot spent more than a year on pre-trial supervision released from custody with absolutely no problems. He has complied with every order of this Court and can be trusted to return to custody after saying good-bye to his mother.

DATED this 6th day of November, 2012.

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

/s/ Paul D. Riddle

By: PAUL D. RIDDLE
Assistant Federal Public Defender
Counsel for Defendant David Thriot

AMENDED ORDER

Having read the foregoing motion, and good cause appearing,
IT IS HEREBY ORDERED that Defendant shall be transported by the USMS
on November 6, 2012, from Pahrump to Las Vegas, and delivered to Pre-Trial Services,
where Defendant will be fitted with a GPS locator device by a Pre-Trial Services Officer.

IT IS FURTHER ORDERED that Defendant shall be released into the care and custody of his attorney, PAUL D. RIDDLE, Assistant Federal Public Defender, and/or his sister, KRISTIAN CHAMBERLAIN, and shall be permitted to travel to Logan, Utah on November 6, 2012, with Ms. Chamberlain to attend his mother's funeral on November 7, 2012.

IT IS FURTHER ORDERED that Defendant's sister, Kristian Chamberlain shall return the Defendant to the Pre-Trial Services Office not later than 3:00 p.m. on Friday, November 9, 2012, so that a Pre-Trial Services Officer may remove the GPS locator device from the Defendant, and have the USMS transport the Defendant back to the Detention Center in Pahrump, Nevada.

DATED this 6th day of November, 2012.

Gloria M. Navarro
United States District Judge